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MANAGEMENT XXIII, INC.

7 UNITED STATES DISTRICT COURT

8 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

9 BENJAMIN FRIEDENBERG,
Plaintiff,

10 vs.

11 CAPPO MANAGEMENT XXIII, INC., a
12 corporation; CHRIS O'CONNELL, an
individual; and DOES ONE through
13 TWENTY,
14 Defendants.

CASE NO. CV12 6206 HRL

**STIPULATION OF DISMISSAL AND
ORDER**

[Fed. R. Civ. P. 41(a)(1)(A)(ii)]

15 IT IS HEREBY STIPULATED AND AGREED by and between plaintiff, BENJAMIN
16 FRIEDENBERG, and defendants, CAPPO MANAGEMENT XXIII, INC. and CHRIS
17 O'CONNELL, by and through their respective attorneys of record and pursuant to Rule
18 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure that the above-captioned action, having
19 been settled by the parties, be dismissed with prejudice.

20 DATED: February 27, 2013

LAW OFFICES OF TERRY L. BAKER

21 By: /s/ Terry L. Baker

22 Terry L. Baker

23 Attorneys for Plaintiff BENJAMIN
FRIEDENBERG

24 DATED: February 27, 2013

LEWIS BRISBOIS BISGAARD & SMITH LLP

25 By: /s/ Roger S. Raphael

26 Roger S. Raphael

27 Attorneys for Defendant CAPPO
MANAGEMENT XXIII, INC. dba OCEAN
28 HONDA

1 **IT IS SO ORDERED**, that the Complaint of plaintiff BENJAMIN FRIEDENBERG
2 against defendants, CAPPO MANAGEMENT XXIII, INC. and CHRIS O'CONNELL is hereby
3 dismissed with prejudice.

4
5 DATED: February __, 2013

By: _____
Honorable Judge Howard R. Lloyd
United States District Court Judge